IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 3799 of 1996

Between:

1. V. R. Traders, rep. by its managing partner,D.V. Ramachandrudu s/o

Venkataratnam, Machilipatnam, Krishna District.
2. Sri Jaya Lakshmi Rice Mill Contractors Co., rep. by its partner

Palakuntla Lakshmi Pandu Ranga Rao
s/o Lakshmi Ganapathi, Machilipatnam,
Krishna District.
3. Srinivasa Rice&Gen.Merchants, rep. by its partner Vankayala Prasada

Rao, s/o China Bapaniah,
3-436, Inugudurupet,
Machilipatnam, Krishna District-521 001
4. Kanakadurga Rice Traders, rep. by its partner P. Kanakadurgabhavani,
Bandar, Machilipatnam,
Krishna District.
5. Vijayalakshmi Traders, rep. by its partner P. Kanyakaparameshwari,

w/o Ananda Rao, Bandar, Machilipatnam,
Krishna District.
6. Sri Rajyalakshmi Trading Co., rep. by its partner T.P.R.Narayana,

s/o T. Hanuman, Fathulabad, Machilipatnam,
Krishna District.
7. Satyasri Traders, rep. by its partner, M.N.Satyanarayanamurthy, s/o.

Venkata Rama Rao14/348, Edepalli,
Machilipatnam, Krishna District-521 001.
8. Sri Krishna Traders, rep. by its partner, Smt. P. Nagamani W/o PSR

Krishna, 11-419 , Robertsonpet,
Machilipatnam, Krishna District.
9. Radha Krishna Rice Traders, rep. by its partner, Sri D. Radha Krishna

Rao, s/o Subba Rao, 6/89, Jawarpet,
Machilipatnam.

..... PETITIONERS

AND

1. The Agricultural Market Committee, rep. by its Secretary.
   Machilipatnam, Krishna District,

2. The Inspectors, Agricultural Market Committee, Machilipatnam Check

post, Machilipatnam, Krishna District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of *writ of Mandamus* declaring the action of the respondents collecting the market cess on paddy before sale or purchase is takes place by detaining the bullock-carts and vehicles at check-post even though the paddy is accompanied by the petitioners 'way bills' as illegal and arbitrary and also direct the respondents and their subordinates not to collect the market fee when the produce are in transit and unless such purchase or sale takes place at check-post and also not to stop the vehicles and bullock-carts bringing the paddy to the petitioners rice mills before purchased by the petitioners rice mills which are accompanied by the valid way bills issued by the petitioners.

Counsel for the Petitioner: MR.V.V.PRABHAKARA RAO

Counsel for the Respondents: MR.K. MADHAVA REDDY, SC FOR

MARKET COMMITTEE

The Court made the following:

THE HONOURABLE SRI JUSTICE N.V. RAMANA

WRIT PETITION No.3799 of 1996

ORDER:

The learned counsel for the petitioner submits that the cause in the writ petition does not survive and has become infructuous.

Recording the same, the Writ Petition is dismissed as having become infructuous. No costs.

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N.V.RAMANA,J

Date: 10th November, 2004.

Ksn

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Agricultural Market Committee,

   Machilipatnam, Krishna District,

2. The Inspectors, Agricultural Market Committee, Machilipatnam Check

Post, Machilipatnam, Krishna District.

3. Two C.D. copies